

Notice of Allowability

Application No.

10/827,522

Examiner

Christopher R. Magee

Applicant(s)

TANAKA ET AL.

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment after final, 5/4/2007.
2. ☒ The allowed claim(s) is/are 1-15 and 17-60 (renumbered as 1-59, respectively).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

CR Magee 5/28/07

Angel Castro C
ANGEL CASTRO
PRIMARY EXAMINER

DETAILED ACTION

Response to Amendment

1. The reply filed 05/04/2007 was applied to the following effect: All relevant objections and rejections are withdrawn as being satisfied. Therefore, the Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Reasons for Allowance

2. Claims 1-15 and 17-60 are allowed (renumbered as 1-59, respectively).

The following is an examiner's statement of reasons for allowance:

This application is for an OPTICAL DISC DEVICE HAVING FIXING PARTS FOR DIRECTLY FIXING A FRAME OF THE OPTICAL DISK DEVICE TO AN ELECTRONIC DEVICE.

- **Claim 1** specifies an optical disk device disposed in an electronic device, which requires:

"wherein the frame has an uplift part rising to a surface side on which a disk is mounted, the uplift part includes a side part of the frame and a top part provided on said side part, said side part of the uplift part is formed to be thicker in the direction of thickness than a side part of the frame that is near the uplift part, and the top part forms a part of the inner peripheral part of a through hole provided in the frame."

The closest prior art of record, Watanabe et al. (US 6,111, 837) fails to teach, show or suggest, by either anticipating or rendering obvious, the invention as set forth in claim 1 of the instant application. Furthermore, the search made does not detect the combined claimed elements as set forth in pending claim 1. None of the cited prior art of record discloses such an optical disc device disposed in an electronic device, as set forth in the manner, function and relationship

Art Unit: 2627

relative to other claimed structures as prescribed by claim 1. Specifically, Watanabe et al. disclose an optical disk device comprising: a frame (i.e., base) 222; an optical pickup module 205, fixed to the frame 222 [col. 23, lines 39-40]; and a circuit board 251, forming a control circuit fixed to the frame 222 [col. 29, lines 24-40]; wherein the frame 222 is provided with fixing parts 222d-f to other members [Fig. 31A]. Further, Watanabe et al. does not teach, show or suggest *“the frame has an uplift part rising to a surface side on which a disk is mounted, the uplift part includes a side part of the frame and a top part provided on said side part, said side part of the uplift part is formed to be thicker in the direction of thickness than a side part of the frame that is near the uplift part, and the top part forms a part of the inner peripheral part of a through hole provided in the frame”* as claimed in the present invention.

Therefore, these features, in combination with other features of claim 1, are not anticipated by, nor made obvious over, the closest prior art of record of Watanabe et al. (US 6,111, 837).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

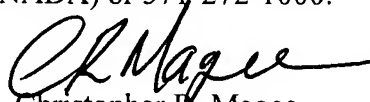
Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Magee whose telephone number is (571) 272-7592. The examiner can normally be reached on M-F, 8: 00 am-4: 30 pm.

Art Unit: 2627

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Christopher R. Magee
Patent Examiner
Art Unit 2627

May 28, 2007
crm



ANGEL CASTRO
PRIMARY EXAMINER